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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 06, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ADAM S. JENNINGS,

Petitioner,

v.

DONALD HOLBROOK,

Respondent.

No. 2:21-cv-00221-RMP

ORDER DISMISSING HABEAS
CORPUS PETITION

On September 30, 2021, the Court advised Petitioner Adam S. Jennings of the deficiencies of his Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254, and gave him the opportunity to amend his petition within sixty days to cure those deficiencies. ECF No. 12. Petitioner, currently housed at the Monroe Correctional Complex – Special Offenders Unit, is proceeding *pro se*. Petitioner challenges his 2015 Okanogan County jury convictions for first degree murder and unlawful possession of a firearm, for which he received a sentence of 393 months to life incarceration. ECF No. 1 at 1, ECF No. 1-1 at 43. Respondent has not been served in this action.

1 Specifically, Petitioner failed to state any claims and did not provide any
2 supporting facts in his habeas corpus petition, and therefore failed to comply with
3 the federal habeas rules. *See McFarland v. Scott*, 512 U.S. 849, 856 (1994)
4 (“Habeas corpus petitions must meet heightened pleading requirements.”). ECF
5 No. 12 at 2–3. The Court cautioned Petitioner that failing to amend his petition to
6 cure the deficiencies identified by the Court would result in the dismissal of his
7 petition. *Id.* at 6–7. Petitioner did not amend as directed and has filed nothing
8 further in this action. For the reasons set forth above and in the Court’s September
9 30, 2021 Order, the Court dismisses the petition.

10 Accordingly, **IT IS HEREBY ORDERED:**

- 11 1. The petition, **ECF No. 1**, is **DISMISSED WITHOUT PREJUDICE**.
12 2. The Clerk’s Office is directed to **ENTER JUDGMENT** for Respondent
13 and **CLOSE** this file.
14 3. The Court certifies that an appeal from this decision could not be taken in
15 good faith and there is no basis upon which to issue a certificate of
16 appealability. *See* 28 U.S.C. §§ 1915(a)(3), 2253(c); Fed. R. App. P.
17 22(b).

18 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
19 Order and provide a copy to Petitioner.

20 **DATED** December 6, 2021.

s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
Senior United States District Judge